

9-310. Default judgment on cash bond.

*[For use with Rule 5-406 NMRA in the District Court,
Magistrate Court Rule 6-406 NMRA,
Metropolitan Court Rule 7-406 NMRA and
Municipal Court Rule 8-406 NMRA]*

STATE OF NEW MEXICO
[COUNTY OF _____]
[CITY OF _____]
_____ COURT

[STATE OF NEW MEXICO]
[COUNTY OF _____]
[CITY OF _____]

v.

No. _____

_____, Defendant

and

_____, (surety)

_____, (surety)

DEFAULT JUDGMENT ON CASH BOND

This matter coming on for hearing before this court,

THE COURT FINDS:

The defendant [and the defendant's sureties] previously signed an [appearance] [bail] bond
agreeing that the defendant would appear at such times and places as may be required by this court;

The defendant failed to appear as required;

This court served a Notice of Forfeiture and Order to Show Cause on the clerk of the court

forfeiting the defendant's bond more than thirty (30) days prior to this hearing;

The clerk of the court mailed to the defendant [and the defendant's sureties] the Notice of Forfeiture and Order to Show Cause why default judgment should not be entered on the forfeited bond;

The forfeited bond has not been set aside, the defendant has not been surrendered into custody and good cause has not been shown why default judgment should not be entered.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that judgment be and the same is hereby entered against the defendant [and the defendant's sureties] for the full amount of the cash bond previously deposited with the court.

Date: _____

Judge

[Adopted, effective August 1, 1989, as amended by Supreme Court Order No. 07-8300-29, effective December 10, 2007.]